



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,607	05/02/2001	Paul A. Youngblood	ERT-024-2	5992

22888 7590 03/26/2003

BEVER HOFFMAN & HARMS, LLP
TRI-VALLEY OFFICE
1432 CONCANNON BLVD., BLDG. G
LIVERMORE, CA 94550

EXAMINER

HARRISON, CHANTE E

ART UNIT PAPER NUMBER

2672

DATE MAILED: 03/26/2003

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/848,607

Applicant(s)

YOUNGBLOOD ET AL.

Examiner

Chante Harrison

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-4, 6-14 and 16-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Saied Moezzi, U.S. Patent 5,850,352, 12/1998.

As per independent claim 1, Moezzi discloses a method for viewing a set of sequential bitmaps comprising, sequentially playing the set of sequential bitmaps (col. 7, ll. 17-20), wherein, each sequential bitmap is offset in time (col. 18, ll. 10-15), defining a view window within the overlapping immersive picture which defines a portion of the overlapping immersive picture under the view window (col. 18, ll. 5-15) and allowing the view window to move with respect to the overlapping immersive picture (col. 7, ll. 46-51).

As per dependent claim 2, Moezzi discloses each sequential bitmap has a 360 degree field of view (col. 16, ll. 25-40).

As per dependent claim 3, Moezzi discloses each sequential bitmap has a 180 degree field of view (col. 16, ll. 25-40).

Art Unit: 2672

As per dependent claims 4 and 14, Moezzi discloses the view window is defined by a standard viewing software package (col. 11, ll. 57-67).

As per dependent claim 6, Moezzi discloses each sequential bitmap defines a cylindrical space (col. 16, ll. 25-40).

As per dependent claim 7, Moezzi discloses each sequential bitmap is self-contained (col. 1, ll. 36-43).

As per dependent claim 8, Moezzi discloses each sequential bitmap has a 360 degree field of view and an overlap portion (col. 16, ll. 25-40; col. 18, ll. 5-15).

As per dependent claim 9, Moezzi discloses the overlap portion has a 40 degree field of view (col. 12, ll. 53-57; col. 16, ll. 25-40).

As per dependent claim 10, Moezzi discloses the view window has a field of view (col. 18, ll. 5-15) and the overlap portion has a field of view greater than the field of view of the view window (col. 16, ll. 9-40).

As per independent claim 11, Moezzi disclose a method of viewing an immersive picture comprising, defining an immersive picture (Fig. 11), repeating a portion of the content of the immersive picture (Fig. 1A), storing the repeated portion together with the immersive

Art Unit: 2672

picture to form an overlapping immersive picture (col. 8, ll. 42-50), defining a view window within the overlapping immersive picture which defines a portion of the overlapping immersive picture under the view window (col. 18, ll. 5-15) and allowing the view window to move with respect to the overlapping immersive picture (col. 7, ll. 46-51).

As per dependent claim 12, Moezzi discloses displaying the portion of the overlapping immersive picture defined by the view window (col. 12, ll. 53-58; col. 18, ll. 5-15).

As per dependent claim 13, Moezzi discloses allowing the view window to define a first portion of the overlapping immersive picture near a first edge of the overlapping immersive picture as the view window moves towards the first edge (col. 29-30, ll. 50-22) and causing the view window to define a second portion of the overlapping immersive picture near a second edge of the overlapping immersive picture similar in content to the first position when the view window reaches a first distance from the first edge (col. 30, ll. 18-35, 45-47).

As per dependent claim 16, Moezzi disclose a second overlapping immersive picture combined with the overlapping immersive picture to form an overlapping immersive movie (col. 1, ll. 42-57).

Art Unit: 2672

As per independent claim 17, Moezzi disclose a method of viewing an immersive picture comprising, defining an immersive picture (Fig. 11), repeating a portion of the content of the immersive picture (Fig. 1A), storing the repeated portion together with the immersive picture to form an overlapping immersive picture (col. 8, ll. 42-50), compiling the set of overlapping immersive pictures to form an overlappin immersive movie, (col. 1, ll. 42-57), wherein the overlapping immersive movies is played by sequentially displaying each of overlapping picture in the set of overlapping immersive pictures (col. 18, ll. 5-15), defining a view window within the overlapping immersive picture which defines a portion of the overlapping immersive picture under the view window (col. 18, ll. 5-15) and allowing the view window to move with respect to the overlapping immersive picture (col. 7, ll. 46-51).

As per dependent claim 18, Moezzi discloses the view window moves with respect to content of the overlapping immersive movie by moving with respect to each overlapping immersive picture when displayed (col. 1, ll. 42-57; col. 7, ll. 46-51).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 5 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moezzi as applied to claims 1 and 11 above, and further in view of Shenchang Chen, U.S. Patent 6,278,466, 8/2001.

As per dependent claims 5 and 15, Moezzi fails to disclose the standard viewing software package is Macromedia Flash, which Chen discloses (col. 5, ll. 40-46). Moezzi teaches selectively synthesizing multiple image frames to create an immersive video. Chen teaches describing animation data in one of many formats, for example VRML, for its application in an interactive playback system that allows for manipulation of animated images. It would have been obvious to one of skill in the art to include Chen's teaching of Macromedia Flash as a software package with that of Moezzi because Moezzi discloses a software program that is applicable to virtual reality.

Art Unit: 2672

Conclusion

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Chante Harrison whose telephone number is (703) 305-3937.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi, can be reached at (703) 305-4713.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

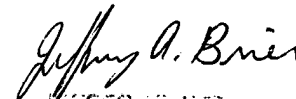
or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ch
March 19, 2003


JEFFERY BRIER
PRIMARY EXAMINER